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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jan Weber et al. Art Unit : 3734
Serial No. : 10/636,063 Examiner : Kevin T. Truong
Filed : August 7, 2003 Conf. No. : 1014
Title : STENT DESIGNS WHICH ENABLE THE VISIBILITY OF THE INSIDE OF
THE STENT DURING MRI

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR EXPEDITED CONSIDERATION OF PETITION UNDER 37 C.F.R. §1.48(A)
FOR CORRECTION OF INVENTORSHIP SUBMITTED JULY 6, 2004

This is a request for expedited consideration of a petition for correction of inventorship under 37 C.F.R. §1.48(a) submitted previously for the above-captioned patent application. A copy of the original submission is filed herewith

On July 6, 2004, the undersigned's predecessor counsel submitted a "Petition Under 37 C.F.R. §1.48(a) to Add Inventor to Non-Provisional Application." As stated in the petition, and in the accompanying return postcard, a copy of which is also enclosed, bearing a PTO date stamp of July 12, 2004, the submission included:

Petition under 37 C.F.R. §1.48(a);

Statement by each person being added as an inventor (Barry J. O'Brien of Barna Galway, Ireland) that his name was erroneously omitted as an inventor without any deceptive intention on his part;

Declaration by each of the actual inventors under 37 C.F.R. §1.63;

Written consent of assignee with statement under 37 C.F.R. §3.73(b); and

Check for the fee required at the time of filing under 37 C.F.R. §1.17(j).

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 8, 2006
Date of Deposit

Signature

Timothy A. French
Typed or Printed Name of Person Signing Certificate

Applicant : Jan Weber et al.
Serial No. : 10/636,063
Filed : August 7, 2003
Page : 2 of 2

Attorney's Docket No.: 10527-630001 / 02-294

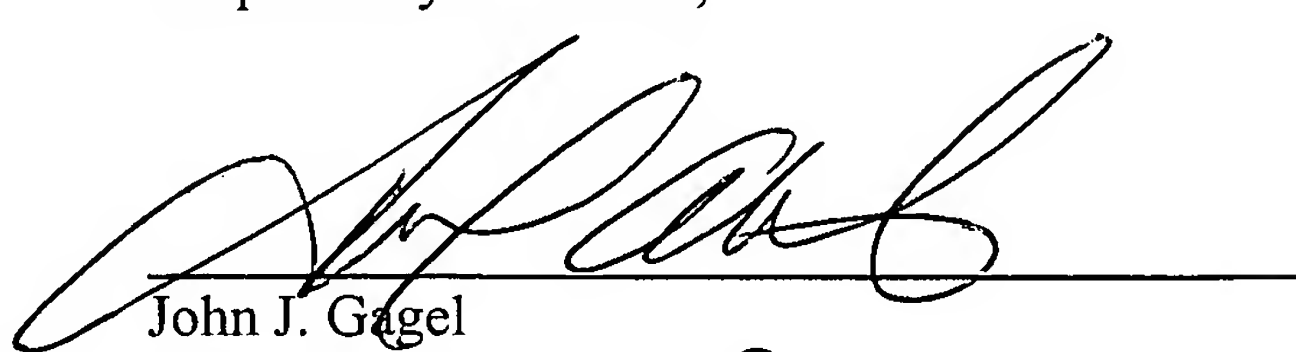
According to the transaction history in PAIR, the petition was properly logged into the file on July 12, 2004, but more than two years have now passed without action. Therefore, Applicants respectfully request expedited consideration of the petition.

Please charge any fees due in this matter, or apply any credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

August 8, 2006



John J. Gagel
Reg. No. 33,499

Reg No 30,175

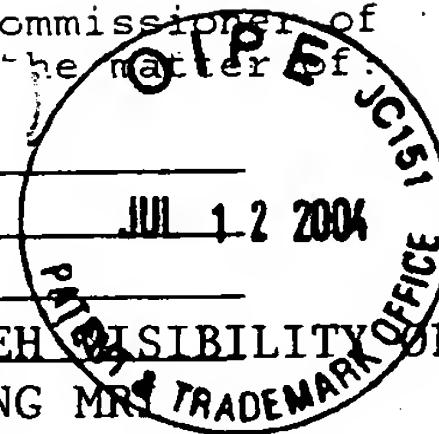
Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21393926.doc



Receipt is hereby acknowledged by the Assistant Commissioner of
Patents and Trademarks of the following items in the matter of:

Applicant Jan Weber et al.
Serial No./Patent No.: 10/636,063
Filed/Issued : Aug. 7, 2003
Title/Mark : STENT DESIGNS WHICH ENABLE THE VISIBILITY OF
THE INSIDE OF THE STENT DURING MRI



1. Petition under 37 CFR 1.48(a) to add inventor to non-provisional application
2. Statement by Barry J. O'Brien & executed Declaration
3. Executed Declaration
4. Consent of Assignee to Add Inventor in Non-Provisional Application under 37 CFR 1.48(a) and Statement Under 37 CFR 3.73(b)
5. Check in the amount of \$130.00.

Atty/Sec TRF:jmb Date: 7/6/04 File No. S13.12-0133



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Jan Weber et al.

Group Art Unit: 3762

Appln. No.: 10/636,063

Examiner:

Filed : August 7, 2003

For : STENT DESIGNS WHICH ENABLE THE
VISIBILITY OF THE INSIDE OF THE
STENT DURING MRI

Docket No.: S13.12-0133

**PETITION UNDER 37 C.F.R. § 1.48(a) TO ADD
INVENTOR TO NON-PROVISIONAL APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS
BEING SENT BY U.S. MAIL, FIRST CLASS, TO
THE COMMISSIONER FOR PATENTS, P.O. BOX
1450, ALEXANDRIA, VA 22313-1450, THIS

6 DAY OF July 20 07.

PATENT ATTORNEY

Sir:

1. This is a petition to add an invention under 37 C.F.R. § 1.48(a) in the above-identified application.
2. Addition of Inventor(s):

Please add Barry J. O'Brien of Barna Galway, Ireland, as an inventor to the above-identified referenced non-provisional patent application. Mr. O'Brien's name was erroneously omitted from the non-provisional application without any deceptive intention on the part of Mr. O'Brien.

3. Enclosed herewith in (37 C.F.R. 1.48(a)):

- ☒ [X] A statement from each person who is being added an inventor that the inventorship error occurred without any deceptive intention on his or her part.
- ☒ [X] A declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43 or 1.47).
- ☒ [X] Also enclosed is the written consent of the assignee.

☒ A statement under 37 C.F.R. § 3.73(b), establishing right of assignee to take action, is also enclosed.

4. The fee required (37 C.F.R. § 1.17(i)) is paid as follows:

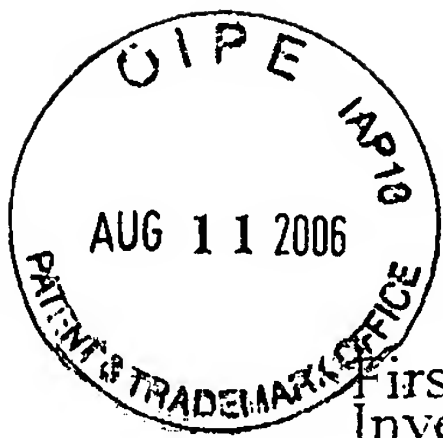
☒ attached is a check in the amount of \$130.00.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,
WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Todd R. Fronek, Reg. No. 48,516
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222
Fax: (612) 334-3312



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Jan Weber et al.

Appln. No.: 10/636,063

Filed : August 7, 2003

For : STENT DESIGNS WHICH ENABLE THE
VISIBILITY OF THE INSIDE OF THE
STENT DURING MRI

Docket No.: S13.12-0133

Group Art Unit: 3762

Examiner:

STATEMENT BY BARRY J. O'BRIEN

I, Barry J. O'Brien, of Barna Galway, Ireland, hereby state that the omission of my name in the above-referenced non-provisional patent application was an error which occurred without any deceptive intent on my part.

Barry J. O'Brien

Barry J. O'Brien

Dated: 24 JUNE 2004



COMBINED DECLARATION AND
POWER OF ATTORNEY
IN ORIGINAL APPLICATION

Attorney Docket No.

S13.12-0133

SPECIFICATION AND INVENTORSHIP IDENTIFICATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed, and for which a patent is sought, on the invention entitled STENT DESIGNS WHICH ENABLE THE VISIBILITY OF THE INSIDE OF THE STENT DURING MRI the specification of which,

(check one) ☐ is attached hereto.
☒ was filed on August 7, 2003 as Appln. No. 10/636,063.
☐ and was amended on _____
☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is known to me to be material to the patentability of this application in accordance with 37 C.F.R. § 1.56.

PRIORITY CLAIM (35 U.S.C. § 119)

Prior Foreign Application(s)

I claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any foreign application(s) for patent or inventor's certificate listed below, each of which is incorporated by reference in its entirety, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number	Country	Day/Month/Year Filed	Priority Claimed
_____	_____	_____	Yes _____ No _____
_____	_____	_____	Yes _____ No _____

Prior Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States Provisional Application(s) listed below, each of which is incorporated by reference in its entirety:

Number	Day/Month/Year Filed
_____	_____
_____	_____



PRIORITY CLAIM (35 U.S.C. § 120)

I claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below, each of which is incorporated by reference in its entirety. Insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Appln. No.	U.S. Appl. No. (if any under PCT)	Filing Date	Status
_____	_____	_____	_____
_____	_____	_____	_____

DECLARATION

I declare that all statements made herein that are of my own knowledge are true and that all statements that are made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY

I appoint the attorneys and agents associated with

Customer Number 27367,

which is the customer number for the law firm of Westman, Champlin & Kelly, P.A., to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution and revocation.

I ratify all prior actions taken by Westman, Champlin & Kelly, P.A. or the attorneys and agents mentioned above in connection with the prosecution of the above-mentioned patent application.

DESIGNATION OF CORRESPONDENCE ADDRESS

Please address all correspondence and telephone calls to Todd R. Fronek in care of:

WESTMAN, CHAMPLIN & KELLY, P.A.
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

Inventor: _____
(Signature)

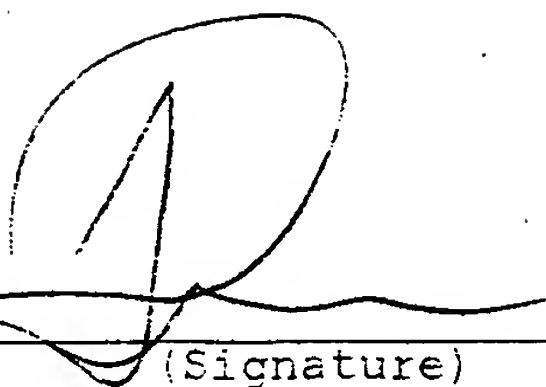
Date: 24 June 2004

Inventor: Jan Weber
(Printed Name)

Residence: Maple Grove, MN
Dutch

Citizenship:

P.O. Address: 18112 89th Place North, Maple Grove, MN 55311

Inventor: 
(Signature)

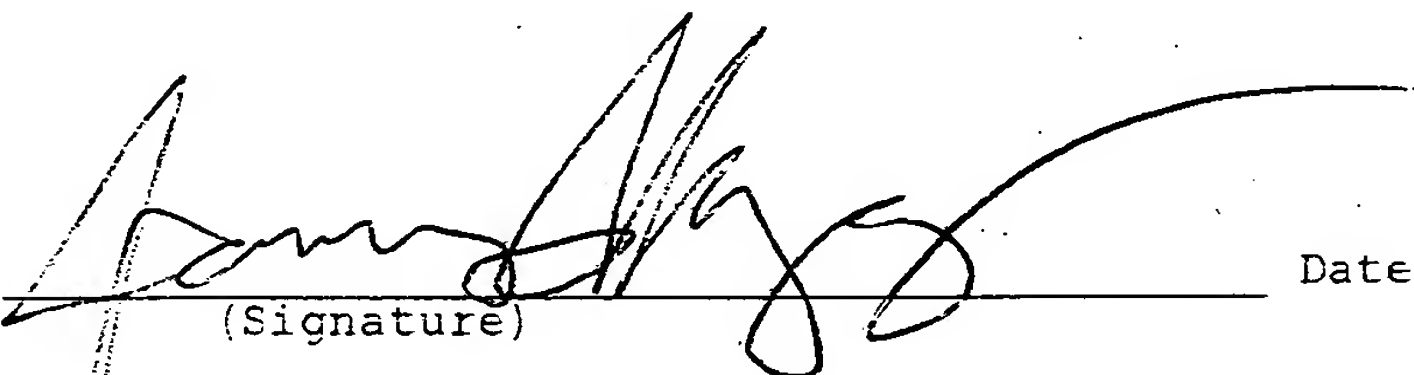
Date: June 22 2004

Inventor: Thomas J. Holman
(Printed Name)

Residence: Princeton, MN

Citizenship: U.S.A.

P.O. Address: 29625 139th Street NW, Princeton, MN 55371

Inventor: 
(Signature)

Date: 6-20-04

Inventor: James Heggstuen
(Printed Name)

Residence: Stillwater, MN

Citizenship: U.S.A.

P.O. Address: 725 Sixth Avenue South, Stillwater, MN 55082

Inventor: _____
(Signature)

Date: _____

Inventor: Barry J. O'Brien
(Printed Name)

Residence: Barna Galway, Ireland

Citizenship: _____

Ireland

P.O. Address: 102 Liosmore Cappagh Road, Barna Galway, Ireland



**COMBINED DECLARATION AND
POWER OF ATTORNEY
IN ORIGINAL APPLICATION**

Attorney Docket No.

S13.12-0133

SPECIFICATION AND INVENTORSHIP IDENTIFICATION

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(check one) ☐ is attached hereto.

☒ was filed on August 7, 2003 as Appln. No. 10/636,063.

☐ and was amended on _____.

☐ was described and claimed in PCT International Application

No. _____ filed on _____ and as amended under PCT Article 19 on _____.

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Number	Country	Day/Month/Year Filed	Priority Claimed
_____	_____	_____	Yes _____ No _____
_____	_____	_____	Yes _____ No _____

Prior Provisional Application(s)

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DECLARATION

I declare that all statements made herein that are of my own knowledge are true and that all statements that are made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY

I appoint the attorneys and agents associated with

Customer Number 27367,

which is the customer number for the law firm of Westman, Champlin & Kelly, P.A., to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution and revocation.

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WESTMAN, CHAMPLIN & KELLY, P.A.
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

Inventor: _____ Date: _____
(Signature)

Inventor: Jan Weber
(Printed Name)

Residence: Maple Grove, MN Citizenship: Dutch

P.O. Address: 18112 89th Place North, Maple Grove, MN 55311

Inventor: _____ Date: _____
(Signature)

Inventor: Thomas J. Holman
(Printed Name)

Residence: Princeton, MN Citizenship: U.S.A.

P.O. Address: 29625 139th Street NW, Princeton, MN 55371

Inventor: _____ Date: _____
(Signature)

Inventor: James Heggstuen
(Printed Name)

Residence: Stillwater, MN Citizenship: U.S.A.

P.O. Address: 725 Sixth Avenue South, Stillwater, MN 55082

Inventor: *Barry J. O'Brien* Date: 24 JUNE 2004
(Signature)

Inventor: Barry J. O'Brien
(Printed Name)

Residence: Barna Galway, Ireland Citizenship: Ireland

P.O. Address: 102 Liosmore Cappagh Road, Barna Galway, Ireland



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Jan Weber et al.

Group Art Unit: 3762

Appln. No.: 10/636,063

Examiner:

Filed : August 7, 2003

For : STENT DESIGNS WHICH
ENABLE THE VISIBILITY OF
THE INSIDE OF THE STENT
DURING MRI

Docket No.: S13.12-0133

CONSENT OF ASSIGNEE TO ADD INVENTOR IN NON-PROVISIONAL
APPLICATION UNDER 37 C.F.R. 1.48(a) AND STATEMENT
UNDER 37 C.F.R. § 3.73(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SciMed Life Systems, Inc., owner by assignment in the above-
identified patent application:

- A. ☒ in assignment being recorded herewith, and
- B. ☒ in the assignment recorded on August 7, 2003 in the
patent and Trademark Office at Reel 014382, Frame 0862,
or a copy of which is attached.

Hereby consents to the amendment of the inventorship of this
patent application as requested:

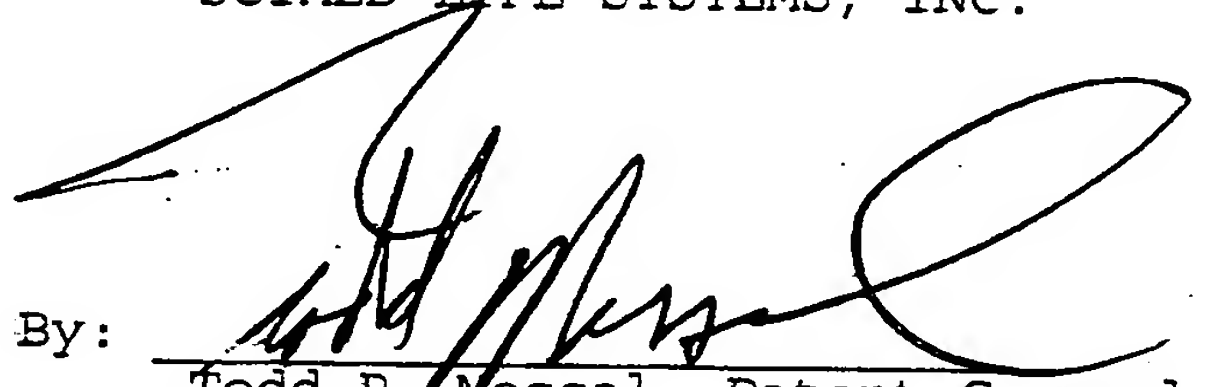
☒ in the accompanying papers.

STATEMENT UNDER 37 C.F.R. § 3.73(b)

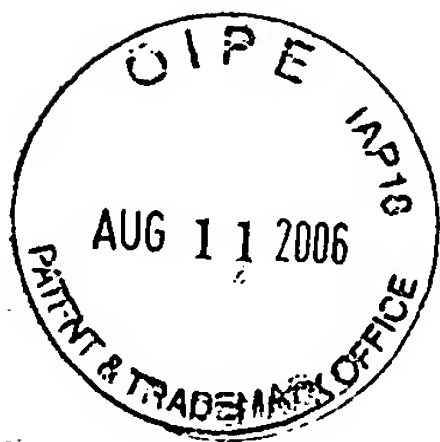
SciMed Life Systems, Inc., a corporation organized and existing under the laws of the State of Minnesota, states that it is the Assignee of Entire Interest in the application identified above by virtue of an Assignment from the inventor(s) of the patent application identified above. The undersigned is empowered to sign this statement on behalf of the Assignee.

Respectfully submitted,
SCIMED LIFE SYSTEMS, INC.

By:



Todd P. Messal, Patent Counsel



WESTMAN, CHAMPLIN & KELLY, P.A.

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DATE	DESCRIPTION	INVOICE #	AMOUNT	CHECK		NET AMOUNT
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MINNEAPOLIS, MN 55402-3319

HIGHLAND BANK
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75-1637-919

309

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Commissioner of Patents and Trademarks

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